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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,356	12/07/2001	Miikka Poikselka	1135.40953X00	7875

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EXAMINER

UBILES, MARIE C

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/005,356	Applicant(s) POIKSELKA ET AL.	
	Examiner Marie C. Ubiles	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-17 and 19-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-17 and 19-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on December 3, 2004 has been entered. Claims 1 and 14 have been amended. Claims 5-6 and 18 have been cancelled. Claim 29 has been added. Claims 1-4, 7-17 and 19-29 are still pending in this application, with claims 1, 14 and 29 being independent.

Claim Rejections - 35 USC § 112

2. Claims 1, 7, 13 and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 1 recites the limitation "to another node" in line 9, "its" in line 11, "of another node" in line 11 and "to the another node" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claims 7, 13 and 26 are indefinite as they depend on cancelled claims 6, 5 and 18, respectively. Applicant is advised that when comparing the claimed invention to the Prior Art, claims 7 and 13 were presumed to be dependent from claim 1 and claim 26 was presumed to be dependent from claim 14.

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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5. Claims 1-4, 7-17 and 19-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Faccin et al. (US 6,571,092).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As for claim 1, Faccin et al. discloses a method for enabling a callback from an entity (or PSAP/Emergency Center and CFCF) to an equipment (or mobile terminal, MT) initiating a session (See Abstract, lines 1-4 and Col. 1, lines 31-34), comprising, storing a record for the equipment (or "allocates a CBN to the terminal") containing information for the session by the entity (See, Col. 2, lines 28-33) and at least one node (or SGSN/GGSN) involved in handling the session (See Col. 3, lines 19-38), each stored record including an identity of the equipment (or temporary ID/TMSI) and an address of at least one other node (or IP address) (See Col. 3, lines 23-28) to which signaling is to be addressed from the node storing the record in case of call-back from the entity to the equipment (See Col. 3, lines 39-55); and sending the identity of the equipment, and the address of the at least one other node from a node to another node or the entity in a message for initiating the session, and wherein, in case of a call-back, a node uses the received equipment identity to find, in its stored record, the address of

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another node for sending, to the another node, a message related to the call-back (See Claims 1-2).

As for claim 2-3, Faccin et al. discloses an emergency call (i.e. session) into a PSAP/Emergency center being dropped for any reason. (i.e. wherein the entity is an emergency center, and the session is an emergency session) (See *Detailed Description*, Col. 2, lines 12-17).

As for claim 4, it is inherent from Faccin's et al. system that the information received from the mobile terminal when making an emergency call to the PSAP will be stored for a pre-determined amount of time, so that the PSAP can perform initiate a callback if the call is accidentally dropped (i.e. wherein the information for the session is stored for a predetermined time after the session initiation).

As for claim 19, Faccin et al. discloses that when placing an emergency call (i.e. session) from the mobile terminal (i.e. equipment), an active PDP context request from the mobile terminal to the SSGN (i.e. node), and from the SSGN to the GGSN (i.e. node) the GGSN allocates an IP address to the calling mobile terminal, and the SSGN stores the association between the temporary ID and PDP context and the IP address (i.e. and wherein the nodes are adapted to store the information when receiving a message from the equipment or another node for initiating a session)(See *Detailed Description*, Col. 3, lines 20-28).

As for claims 7 and 9, Faccin et al. discloses the use of CSCF (i.e. P-CSCF and S-CSCF) to act as an interface with the GGSN/SGSN (i.e. IMS nodes) and the rest of the system (i.e. wherein the nodes are IMS nodes and include P-CSCF, S-CSCF, or

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MGCF node)(See Detailed Description, Col. 2, lines 44-51). It is inherent from the use of a CSCF that the message will be a SIP message, as functions of the P-CSCF include the forwarding of SIP messages received from a mobile terminal. (i.e. wherein the message is a SIP message).

As for claim 8, the limitation, wherein the signalling bearer for establishing the session is maintained for a predetermined time from the beginning of the signalling bearer activation, may be read into the time that takes the mobile terminal to establish contact with the PSAP.

As for claim 10, it is inherent from Faccin's et al. system that the nodes include a timer for measuring the predetermined time, as it is well known in the art, that a timer is set for the old PDP Context allowing packets arriving at the old GGSN to be forwarded to the user. If this timer is set to zero, the PDP Context at the old GGSN is deleted immediately after the new PDP Context is created (i.e. the nodes include a timer for measuring the predetermined time).

As for claim 11, Faccin et al. discloses that a call setup for call back is arranged between the PSAP and the mobile terminal if the call (i.e. session) is dropped for any reason and the PSAP wishes to call back the mobile terminal. (i.e. if the session is released before normal completion thereof, the entity starts a callback procedure)(See *Detailed Description, Col. 2, lines 56-61*).

As for claim 12, while Faccin et al. do not mention that the entity is in the switched circuit domain, it is well known in the art that the PSAP exists as part of the

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Public Switched Telephone Network; thus it is inherent that the entity is in the CS domain. (i.e. wherein the entity is in CS domain).

As for claims 13, 26 and 28, it is inherent for this type of system, to carry the equipment identity in the Calling Line Parameter of the ISUP message to the Signaling Gateway. (i.e. wherein the equipment identity is carried in the Calling Line parameter of the ISUP message to a Signaling Gateway).

Claims 14, 15, 16, 17, 20, 21, 22, 23/27, 24 and 25 are apparatus claims that correspond directly to method claims 1, 2, 3, 4, 7, 8, 9, 10, 11 and 12, respectively, and therefore are rejected under the same rationale.

Claim 29 is rejected for the same reasons as claim 1.

Response to Arguments

6. Applicant's arguments filed December 3, 2004 have been fully considered but they are not persuasive.

Applicant argues that Faccin et al. does not disclose or suggest "a node using the received equipment identity to find in its stored record, the address of another node for sending, to the another node, a message related to the call back".

Examiner respectfully disagrees, the claimed limitations are performed by Faccin et al. in Col. 3, lines 23-55. Further, Examiner points out that in Faccin's system, one of the primary steps performed in order to achieve the call-back is to "allocate a temporary

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ID for the calling MT", clearly disclosing that the "received equipment identity" is in fact used.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (571)272-7491. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marie C. Ubiles
April 7, 2004.


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